Leg. File No. 36-14

Serial Nos. 1-3

1914

GENERAL AND REVENUE SECRETARIAT.

(Judicial and Legislative Legislation)

Part A Manuscript

for

The Commercial Intercourse with Enemy (Emergency) Regulation XII of 1914

Serial Nos. 1-3

1914-15

File No. 36 of 1914-15

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE SECRETARIAT.

JUDICIAL AND LEGISLATIVE

(Legislation)

January 1915.

"A" Collection: Serials Nos. 1-3

The Commercial Intercourse with Enemies (Emergency) Regulation XII of 1914

TABLE OF CONTENTS

Number and date of letter and contents.	Reference.	Page in proceedi
Letter No. 10,007 dated 9th december 1914 from the First Assistant to the Hon'ble the Resident in Mysore, to the Dewan. Requests that if there is no objection the question of enacting a Regulation in Mysore on the lines of the Commercial Intercourse with Enemies Ordinance, 1914, may be early considered the decision of the Durbar may be communicated		
2 G.O. No. J 1886 - Legs 36-14-2 dated the 19th december 1914, to the Compiler Mysore Gazette. Directs the publication of the Bill as Regulation No XII of 1914		

3 Letter no Pol. 640, dated 6th January 1915 to the First Assistant to the Hon'ble the Resident in Mysore.

Forwards the usual copies of the Regulation & two more to be sent to the Government of His Highness the Nizam of Hyderabad

1896 N°C 288
14.12.14.

G.R.S. 11] 1914.

GENERAL AND REVENUE SECRETARIAT.

+ Legislative

NOTES

File No. 36-XI

~~File Heading.~~

The Commercial Intercourse with enemies (Emergency) Regulation

~~From~~

The 1st Asst to Resident

Letter No. 1000 Dated 9/12/14 Received 10/12/14 from

Diary No. 1896	Enclos. — Spare Copies. —	Serial No. 1

~~Brief Abstract of Letter.~~

Requests that if there is no objection the question of enacting a Regn on the lines of the commercial Intercourse with Enemies ordinance, VI of 1914 be considered by the Durbar and their decision on the matter intimated

NOTES-AND-ORDERS.

Submitted with a draft Regn drawn in the same manner the ~~Regs~~ 3 emergency Regulations already passed

SVS

(48)

2 Sec 4)

Q /

G. Sreenivasa ...
Es
10/12/14
10.12.14

Flag T

NOTES—First Sheet.

GPB—35,000—15 6-12

G. R. S. 12]

General and Revenue Secretariat.

Kapi File No. 36 of 1914

Serial No.

3

If approved the draft Reg. will be placed before the Council today to save time.

Duraiswami Rao 12/12

First Member

J Dawson

4 I enquired through telephone & have ascertained that the First Member has no objection to this matter being considered in Council today

Duraiswami Rao 14/12

Dawson

5

A draft Submission Note is put up.

Duraiswami Rao 14/12

Dawson

3301 15-12-14

NOTE—Contn. sheet.

GPB—25,000—2-11-14

GPB—1,000—19-7-13

Extract from the Proceedings of the 341st **Meeting of the Council of His Highness the Maharaja, held at** Bangalore **on the** 12th December **191** 4.

12. Subject.-(Clause ii of the Schedule).

Draft Commercial Intercourse with Enemies Regulation (Emergency).

Opinion of the Council.

6. The draft Commercial Intercourse with Enemies Regulation (Emergency) may be passed.

Sd/- M. Visvesvaraya.
Dewan of Mysore.

"Extract"
D.M Narasimha Rao.
Offg. Secretary to Government.

Submitted to His Highness.

7 I submit herewith a draft Bill for enforcing in Mysore the provisions of the Commercial Intercourse with Enemies Ordinance, No.VI of 1914, made and promulgated by the Government of India, under section 23 of the Indian Councils Act, 1861. The measure has been undertaken at the instance of the Residency.

Paper under Disposal

Page 3 of office Note

8 2. The draft Bill was considered in the Council on the 12th December 1914. The Council are of opinion that the draft Regulation may be approved.

9 3. As the measure is of an emergent nature, it is proposed to enact it under section 15 of the Mysore Legislative Council Regulation, 1907.

10 4. The draft Bill may be approved.

M. Visvesvaraya
17th Dec 1914.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Draft Commercial Intercourse with Enemies Regulation (Emergency).

Order.

11 ~~KRW~~ His Highness the Maharaja
18/12/14

12 Secretary
18.12.14.

13. To be published in the next Gazette

Draft
D. in. Nara 19/12
19.12.

14 Send this
Pass rank of
proof by Monday
evening
19.12.14

See

R. S. 12]

d/184

General and Revenue Secretariat.

Legn. File No. 56 of 1914-15

Serial No.	
15	Subd. with an order to the Comptr Mysore Gazette to publish the Regn CB (48) S.V.S 19/12/14 16 Issue G. Secretariat Regn 19/12/14
2	No J 1886 dated 19th Dec: 14 To the Comptr, Mysore Gazette Orders the publication of the Regn as Regn XII of 1914 17 Submitted Spare copies have been received and 11 copies have to be sent to the Residency as usual. A draft is put up CB (48) S.V.S 5/1/15 Issued G. Secretariat Regn EB 5/1/15
3	No Pol. 640 dated 6/1/15 To the F.A Resident in Mysore Forwards 11 copies of the Regn and requests that 2 copies may be sent to the Nizam's Govt

NOTE—Contn. sheet.

GPB—25,000—2-11-14

Copy to Dewan

Lette. No. 1007

Conf No 1137 d/ 9.12.14

FROM

P. B. WARBURTON, Esq., I. C. S.,

FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Read 29-12

DIARY NO. 9/1896

1914-15

Legis

36-14

1

To

The Dewan of Mysore

Dated Bangalore, 9th December 1914

SIR,

I am directed to refer to The Commercial Intercourse with Enemies Ordinance, 1914 (VI of 1914), published in the Gazette of India Extraordinary of the 14th October 1914, and to request that, if there is no objection, tha question of the enactment of a Regulation in Mysore on the lines of the Ordinance may be kindly considered and that I may be informed of the decision of the Durbar.

I have the honour to be

Sir,

Your most obedient servant,

P B Warburton

First Assistant Resident

GS

R. O. 2—R. P. B.—10-1914—1,000

G.R.S. 28]

File No. 36

Serial No. 2

Diary No. of letter replied to ———

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 01 190

Date of issue 19/12/1914

Signed by M. Srinivasaiya

READ.—

dept. 16-14-2

ORDER THEREON.—No. J 1886 & 21 dated 19.12.191

Ordered that the accompanying Regulation (The commercial Intercourse with Enemies (Emergency) Regulation No XII of 1914) which received the assent of His Highness

over

SUBJECT

the Maharaja on the 18th
day of December 1914 be
published in the Mysore
Gazette for general informa

Sd/ 19/12/14
For Secretary to Gov

2d

The compiler Mysore Gazette
for publication in Part III
of the Gazette in English and
Kannada and forwarding
200 copies of the same in
English and 100 in Kannada
to this office
and 50 in English and 20
in Kannada to the Curator Gov
Mys Central Book Depot,
for sale Proof should
be sent to this office
for approval before the
evening of Monday the
21st inst

~~Draft~~ Regulation

The Commercial Intercourse with Enemies (Emergency) Regulation No XII of 1914

received the assent of His Highness the Maharaja on the 18th day of December 1914

Whereas it is expedient to enforce in Mysore the provisions of the Commercial Intercourse with Enemies Ordinance No VI of 1914, made and promulgated by the Government of India under section 23 of the Indian Councils Act, 1861, His Highness the Maharaja is pleased to enact, under section 15 of the Mysore Legislative Council Regulation, 1907, as follows

1. The Commercial Intercourse with Enemies Ordinance, 1914, shall, mutatis mutandis, be enforced in Mysore as long as and to the same extent as, the Ordinance is in force in British India

2. It shall apply to all subjects of the State, whether resident in or out of Mysore, and to all persons resident within the State

M. Visvesvaraya
Dewan of Mysore

[Here print the accompanying Commercial Intercourse with Enemies Ordinance, No VI of 1914.]

12/12/14

12/12/14

The Commercial Intercourse with Enemies (Emergency) Regulation No. XII of 1914.

(Received the assent of His Highness the Maharaja on the 18th day of December 1914).

Whereas it is expedient to enforce in Mysore the provisions of the Commercial Intercourse with Enemies Ordinance, No. VI of 1914, made and promulgated by the Government of India under Section 23 of the Indian Councils Act, 1861; His Highness the Maharaja is pleased to enact, under Section 15 of the Mysore Legislative Council Regulation, 1907, as follows:-

1. The Commercial Intercourse with Enemies Ordinance, 1914, shall, *mutatis mutandis*, be enforced in Mysore as long as, and to the same extent as, the Ordinance is in force in British India.

2. It shall apply to all subjects of the State, whether resident in or out of Mysore, and to all persons resident within the State.

M. VISVESVARAYA,
Dewan of Mysore.

Ordinance to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening any Proclamation or Order in Council of His Majesty the King-Emperor, relating to trade, commercial intercourse or other dealings with His Majesty's enemies.

ORDINANCE No. VI OF 1914.

WHEREAS an emergency has arisen which makes it necessary to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening the provisions of any Proclamation or Order in Council of His Majesty the King-Emperor, for the time being in force, relating to trade, commercial intercourse or other dealings with His Majesty's enemies;

Now, therefore, in exercise of the powers conferred by Section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance.

Short title and extent.

1. (*1*) This Ordinance may be called The Commercial Intercourse with Enemies Ordinance, 1914.

(*2*) It extends to the whole of British India including British Baluchistan, the Sonthal Parganas, the district of Angul, the Shan States and the Pargana of Spiti and it applies also to-

(*a*) all British and Native Indian subjects of His Majesty within the territories of any Native Prince or Chief in India; and

(*b*) all servants of His Majesty whether British subjects or not within the territories of any Native Prince or Chief in India.

Prohibition against financial and other dealings with hostile State.

2. (*1*) During the continuance of a state of war between His Majesty and any State it shall not be lawful to contribute to, or participate in, or assist in the floating of, any loan raised by or on behalf of the Government of such State, or to advance money to, or enter into any contract or dealings with, or otherwise to aid, abet or assist the Government of such State.

(*2*) Any person contravening the provisions of this section shall be punishable as if he had committed an offence under Section 121 of the Indian Penal Code.

Penalty for trading in contravention of His Majesty's direction.

3. During the continuance of a state of war between His Majesty and any State, any person who contravenes any of the provisions of any Proclamation or Order in Council of His Majesty for the time being in force, relating to trade, commercial intercourse or other dealings with any subject of such State, or any person residing, carrying on business or being in the territories, colonies or dependencies of such State, shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Provision relating to companies and associations.

4. Where a company, association or body of individuals, whether incorporated or not, has done any act which is an offence under this Ordinance, every member or officer of such company, association or body who is knowingly a party to such act, shall be deemed to have committed such offence.

Certificate of Secretary to Government to be conclusive evidence of certain facts.

5. A certificate signed by a Secretary to the Government of India, or by any officer of Government authorised in this behalf by the Governor General in Council, certifying to the fact that on the date specified in such certificate any State was or was not at war with His Majesty, shall be conclusive evidence of such fact.

Saving.

6. Nothing in this Ordinance shall be deemed to prohibit anything done by command of, or under license granted by or under the authority of His Majesty or the Governor General.

Trial of offences.

7. (*1*) No Court shall proceed to the trial of any offence under this Ordinance unless upon complaint made by order of, or under the authority of the Governor General in Council, the Local Government, or some officer empowered by the Governor General in Council in this behalf.

(*2*) No Court inferior to a Court of Session shall try any offence punishable under Section 2, and no Court inferior to that of a Presidency Magistrate or Magistrate of the first class shall try any offence punishable under Section 3.

(Sd.) HARDINGE OF PENSHURST,
Viceroy and Governor Gener

G. R. S. 26]

Legis File No. 36-1

Serial No. 3

Diary No. of letter replied to

General and Revenue Secretariat

( )

, *the* 191

Date of issue 6.1.15

Signed by Hon D.M. Rasasanga Ra

Sl

Legis 36-14.

Letter No Pol No. 640

& Educ. II dated 6.1.19

To The F. A. Resident in Mysore

Bangalore

Sir

With reference to your letter No 1007 dated 9th December 1914 regarding the enactment of a Regn in Mysore on the lines of the Commercial Intercourse with Foreigners Ordinance No VI of 1914, I am directed to forward herewith 11 copies of the Regulation so enacted viz Regulation XII of 1914, and to

over.

SUBJECT.

request you to be so good as
to forward 2 copies thereof to
His Highness the Nizam's Govt
I have &c.

RS
5/4/15
for Secretary to Govt

971

List of enclosures 11

Copied by

Examined by

GPB—25,000—4-3-13